

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>BRIAN SCOTT PATE, #229345,</b>	:	
<b>Petitioner,</b>	:	
<b>vs.</b>	:	<b>CIVIL ACTION 06-0075-KD-C</b>
<b>TERRANCE McDONNELL,</b>	:	
<b>Respondent.</b>	:	

**ORDER**

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that this action be and is hereby **TRANSFERRED** to the United States District Court for the Middle District of Alabama.

**DONE** this 30<sup>th</sup> of May, 2006.

/s/ Kristi K. DuBose  
**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**